

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Bail Appl..No. 1164 of 2007()

CRIME NO. 36 OF 2007 OF VATTIYOORKAVU POLICE STATION

PETITIONERS :

1. HARI RAJ.V., S/O.VELAPPAN, AGED 19 YEARS
RESIDING AT ANITHA BHAVAN, A.K.G. NAGAR,
KACHANI, NETTAYAM P.O., THIRUVANANTHAPURAM.
2. SATHYA.R., S/O.RAMACHANDRAN,
AGED 28 YEARS, RESIDING AT
VISHNU BHAVAN, -DO -DO-.
3. SURESH.S., S/O.SIVA SANKARAN, AGED 31
YEARS, RESIDING AT KOCHUKARIKKAKATHU VEEDU,
KARAKULAM P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS:

1. THE STATE OF KERALA REPRESENTED BY ITS
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.
2. THE SUB INSPECTOR OF POLICE,
VATTIYOORKKAVU POLICE STATION,
THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Bail Application NO. 1164 of 2007

DATED: 01-03-2007

ORDER

Petitioners who are accused Nos. 2, 4 and 8 respectively in Crime No. 36 of 2007 of Vattiyoorkkavu Police Station for offences punishable under Sections 143, 147, 341, 294 (b), 323, 354 and 506 (ii) read with Sec. 149 I.P.C. and Sec. 27 of the Arms Act.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. The learned Public Prosecutor opposed the application. Having regard to the fact that the 3rd petitioner who is the 8th accused is having sufficient antecedents, I am not inclined to grant anticipatory bail the 3rd petitioner.

3. However, having regard to the nature of the allegations levelled against the petitioners 1 and 2 who are accused Nos. 2 and 4, I am inclined to grant anticipatory bail to the petitioners 1 and 2 on appropriate conditions safeguarding the interest of the prosecution. Accordingly, a direction is issued

to the officer-in-charge of the police station concerned to release the petitioners 1 and 2 on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioners 1 and 2 shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
 2. Petitioners 1 and 2 shall make themselves available for interrogation as and when required by the Investigating Officer.
 3. Petitioners 1 and 2 shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
 4. Petitioners 1 and 2 shall not commit any offence while on bail.
 5. Petitioners 1 and 2 shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.
4. If petitioners 1 and 2 commit breach of any of the

above conditions, the bail granted to them shall be liable to be cancelled.

5. In the case of the 3rd petitioner who is the 8th accused **here is no reason why he should not surrender before the Magistrate concerned and seek regular bail . Accordingly, If the 3rd petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed.**

With the above observation, This application is, disposed of .

**V.RAMKUMAR,
JUDGE.**

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Bail A.No.**1164 of 2007**

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